



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

IN RE PATENT APPLICATION OF

Edward W. Knowlton

Application No.: 08/435,544

Filing Date: May 5, 1995

Title: METHOD AND APPARATUS FOR
CONTROLLED CONTRACTION
OF COLLAGEN TISSUE

) Examiner:

) Group Art Unit:

POWER OF ATTORNEY BY INVENTOR
AND REVOCATION OF PRIOR POWERS OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

As a named inventor for the above identified application for letters patent, I hereby appoint Mark A. Haynes, Reg. No. 30,846, Paul Davis, Reg. No. 29,294, and David J. Weitz, Reg. No. 38,362, of HAYNES & DAVIS, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revoke all prior powers of attorney.

Direct all telephone calls to Paul Davis, (415) 233-0188.

Address all correspondence to:

Paul Davis
HAYNES & DAVIS
2180 Sand Hill Road, Suite 310
Menlo Park, California 94025-6935

Name: Edward W. Knowlton
(Signature)

Name: Edward W. Knowlton
(Print or Type)

Date: 7/11/95



Attorney Docket No. KNOW 1000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
Inventor: E.W. Knowlton)	Examiner:
Application No.: 08/435,544)	Group Art Unit:
Filed: May 5, 1995)	
Title: METHOD AND APPARATUS FOR CONTROLLED CONTRACTION OF COLLAGEN TISSUE)	
)	

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
37 C.F.R. § 1.9(f) AND 1.27(b) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

**METHOD AND APPARATUS FOR CONTROLLED
CONTRACTION OF COLLAGEN TISSUE**

described in

- the specification filed herewith
 application no. 08/435,544, filed May 5, 1995
 patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. §1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern, or organization
 persons, concerns or organizations listed below

NAME: _____

ADDRESS: _____

[] Individual [] Small Business Concern [] Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Edward W. Knowlton

Title of Person Signing: Doctor

Address of Person Signing: 25 Chestnut Place, Danville, CA 94506

Signature: Edward W. Knowlton M.D.

Date: 7/11/95

Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27).

Title 37, Code of Federal Regulations, § 1.9(c-f)

(c) An **independent inventor** as used in this chapter means any inventor who (1) has not assigned, granted, conveyed, or licensed, and (2) is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not likewise be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section.

(d) A **small business concern** as used in this chapter means any business concern as defined by the Small Business Administration in 13 CFR 121.12. For the convenience of the users of these regulations, that definition states:

121.12 Small business for paying reduced patent fees. (a) Pursuant to Pub. L. 97-247, a **small business concern for purposes of paying reduced fees under 35 U.S. Code 41 (a) and (b) to the Patent and Trademark Office** means any business concern (1) whose number of employees, including those of its affiliates, does not exceed 500 persons and (2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern

which would not qualify as a small business concern or a nonprofit organization under this section. For the purpose of this section concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.

(e) A **nonprofit organization** as used in this chapter means (1) a university or other institution of higher education located in any country; (2) an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. 501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 U.S.C. 501(a)); (3) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 U.S.C. 201(i)); or (4) any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under paragraphs (e)(2) or (3) of this section if it were located in this country.

(f) A **small entity** as used in this chapter means an **independent inventor, a small business concern or a nonprofit organization**.